

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DEANNE WHATELY CHAVEZ,

Plaintiff,

vs.

Civ. No. 01-1314 RLP/WWD

THOMAS & BETTS CORPORATION, et al.,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendants' Amended Motion to Compel filed January 14, 2003 [docket no. 51] as well as the initial motion [docket no. 50] and this Memorandum Opinion and Order disposes of both motions . The amended motion (hereinafter "motion") seeks an order compelling full and complete answers to interrogatories numbered 1, 2, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 25, and 26. The motion also seeks an order directing production of the materials sought in production requests numbered 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 30, and 31. The motion also asks the Court to order Plaintiff to admit or deny requests for admission numbered 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, as well as the requests for admission to Larry Smith numbered 4, 5, and 12. Neither the discovery sought by the Defendants in overworked, repetitious, and excruciating detail nor the Plaintiff's cross-referenced and out-sourcing responses offer the Court much assistance in dealing with the discovery at issue. In their efforts to confound one another, counsel have outdone themselves. Ideally, both counsel should be allowed to stew

in their own juices. I have reviewed the submissions of counsel paying particular attention to the actual discovery sought and the responses thereto. Plaintiff should make full and detailed responses to interrogatories 2, 5, 6, 11, and 16. Plaintiff also should produce the materials which are in her custody or control and which are sought in requests for production numbered 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, and 25. No further production will be required in connection with requests for production 26, 28, 29, 30, and 31; nor will further responses be required in connection with interrogatories 1, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 20, 22, 25, and 26. Requests for admission to Defendant Thomas and Betts Corporation numbered 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 will be deemed denied. No further responses will be required to Larry Smith's requests for admission numbered 4, 5, and 12. Where responses to interrogatories or production in accordance with requests for production has been ordered above, such responses or production shall be made on or before March 21, 2003. No fees will be awarded in connection with this motion.

Discovery shall proceed in accordance with the foregoing.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE